

533 Rec'd PCT/PTO 17 AUG 2001 S

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

P405 US00

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/913944

INTERNATIONAL APPLICATION NO.
PCT/DK00/00065INTERNATIONAL FILING DATE
17 February 2000PRIORITY DATE CLAIMED
17 February 1999

TITLE OF INVENTION

Biocompatible Material With A Novel Functionality

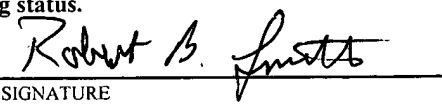
APPLICANT(S) FOR DO/EO/US
VOLKMAR THOM ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:
 - (a) Unsigned Declaration and Power of Attorney; and
 - (b) PCT Application as Published under WO 00/4842 w/o search report

U.S. APPLICATION NO. (if known, see 37 CFR 1.1) 09/913944 INTERNATIONAL APPLICATION NO. WO 00/48642		ATTORNEY'S DOCKET NUMBER P405 US00	
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS PTO USE ONLY \$ 860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	20 - 20 =	--	x \$18.00
Independent claims	1 - 3 =	--	x \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00	\$ --
TOTAL OF ABOVE CALCULATIONS =		\$ 860.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$	
SUBTOTAL =		\$ 860.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE =		\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
TOTAL FEES ENCLOSED =		\$ 860.00	
		Amount to be refunded:	\$
		charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-2385</u> in the amount of \$ <u>860.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-2385</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO: Skadden, Arps, Slate, Meagher & Flom LLP Four Times Square New York, NY 10036 Attn: Robert B. Smith, Esq.		 SIGNATURE Robert B. Smith NAME 28,538 REGISTRATION NUMBER	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Volkmar Thom *et al.***
Serial No.: **Corresponds to PCT/DK00/00065**
Filed: **Concurrently Herewith**
Entitled: **Biocompatible Material With A Novel Functionality**
Group: Not Yet Assigned
Examiner: Not Yet Assigned

CERTIFICATE OF MAILING UNDER
37 CFR § 1.10

Express Mail No.: EL 790 615 503 US

Date of Deposit: August 17, 2001

I hereby certify that this paper and all enclosures referred to therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Name of Person Mailing: Josephine Hardy

Signature of Person Mailing

TRANSMITTAL UNDER 35 U.S.C. § 371 TO ENTER NATIONAL STAGE
United States Designated/Elected Office (DO/EO/US)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

Utility Patent Application Transmittal (Form PTO-1390) for U.S. National Stage Application,
including Fee Calculation and Authorization;
Specification, including claims, abstract and 31 figures (31 sheets);
Unexecuted Declaration and Power of Attorney;
Copy of the International Application as published w/o search report;
Letter of October 26, 2000 to WIPO including amended set of claims;
Preliminary Amendment; and
Return Receipt Postcard.

The Commissioner is hereby authorized to charge the filing fee indicated on the Fee Calculation (see PTO Form 1390) and any fees which may be required in connection with this

submission, to Skadden, Arps, Slate, Meagher & Flom LLP **Deposit Account No. 19-2385**. (Please reference Attorney Docket No. **P 405 US 00**).

- ☒ Priority of Application No. PA 1999 010210, Denmark, filed February 17, 1999 is claimed under 35 U.S.C. § 119.
- ☒ Priority of Application No. PCT/DK00/00065, filed February 17, 2000 is claimed under 35 U.S.C. § 119.

Date: August 17, 2001

Respectfully submitted,

By: Robert B. Smith
Robert B. Smith Reg. No. 28,538

Skadden, Arps, Slate, Meagher
& Flom LLP
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Enclosures

Express Mail Label No.: EL 790 615 503 US